

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

MIGUEL ADRIAN ADAMS, )  
Plaintiff, )  
v. ) Case No. CIV-22-317-D  
THE GEO GROUP INC., *et al.*, )  
Defendants. )

## ORDER

Before the Court for review is the Report and Recommendation of United States Magistrate Judge Shon T. Erwin issued July 27, 2023, pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Judge Erwin finds that Plaintiff has failed to complete service of process on Defendants Honicker, Achidi, and Smith within the time limit of Fed. R. Civ. P. 4(m) and that Plaintiff's action against these defendants should be dismissed without prejudice for lack of service.<sup>1</sup>

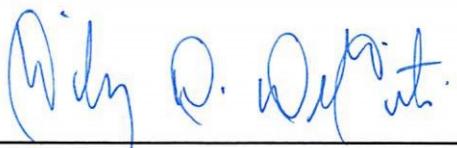
The case file shows no timely objection to the Report nor request for additional time, although Plaintiff was expressly informed of his right to object and the firm waiver rule. The Court finds that Plaintiff has waived further review of all issues addressed in the Report. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 East 30th Street*, 73 F.3d 1057, 1060 (10th Cir. 1996). Further, for the reasons stated by Judge Erwin, the Court finds that Plaintiff's action against the unserved

<sup>1</sup> These are the only remaining defendants in the First Amended Complaint [Doc. No. 28] under the Order of October 4, 2022 [Doc. No. 37].

defendants should be dismissed without prejudice. As a result, a final judgment should be entered as to all claims and parties. *See supra* note 1.

**IT IS THEREFORE ORDERED** that the Report and Recommendation [Doc. No. 58] is **ADOPTED** and Plaintiff's action against Defendants Honicker, Achidi, and Smith is **DISMISSED** without prejudice to refiling. A separate judgment shall be entered consistent with this Order and the Order of October 4, 2022.

**IT IS SO ORDERED** this 28<sup>th</sup> day of August, 2023.



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TIMOTHY D. DeGIUSTI  
Chief United States District Judge